APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,181	11/24/2003	Tad Dennis Brockway	MSI-1787US	7006

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EXAMINER
CHANKONG, DOHM

ART UNIT	PAPER NUMBER
2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/722,181	BROCKWAY ET AL.
	Examiner	Art Unit	
	DOHM CHANKONG	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _13 November 2007_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-24_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-24_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _9/12/07_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 2

DETAILED ACTION

1>   This action is in response to Applicant's request for continued examination. Claims 1,

7, 13, and 19 are amended. Claims 1-24 are presented for further examination.

2>   This is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3>   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant

to 37 CFR 1.114. Applicant's submission filed on 11.13.2007 has been entered.

Response to Arguments

4>   Applicant has amended the independent claims with two new limitations. The first

amendment further limits the remote application discovery request from the remote client

computer as using SOAP. The second amendment further limits the discovery response as

identifying an aggregate list of remote applications across multiple accessor modules.

     As to the first amendment, Applicant's arguments have been considered but are moot

in view of the new ground(s) of rejection necessitated by Applicant's amendment. Examiner

notes Applicant's request for an interview. However, this action contains a new ground of

rejection. An interview would not advance prosecution of the instant application until

Applicant has had time to review the new ground of rejection. Additionally, Applicants generally initiate the interview indicating the desire specific issues to be discussed. See MPEP §713.01(III) (stating that in advance of an interview, an attorney should be prepared to discussed issues raised in the Office action and that it is desirable that the attorney indicate in advance the specific issues he wishes to discuss).

As to the second amendment, Applicant's amendment does not overcome the Dal Canto reference. Dal Canto discloses a service center that contains multiple accessor modules [Figure 1 «items 300, 330» | 0042]. Dal Canto's servers read on Applicant's multiple accessor modules. Dal Canto discloses that the servers each can run different operating system, or different services such as digital television broadcasts or IP telephony [0042 : "...applications or services running on the servers 330"]. Furthermore Dal Canto discloses returning a discovery response that identifies an aggregate list of remote applications from these access modules [0048, 0049 - where a meta-desktop is returned in response to a user request where the meta-desktop "includes icons 440 representing various services available" to a user]. Dal Canto's returned meta-desktop identifies an aggregate list of applications that the user can access [0051].

The independent claims would benefit from adding limitations that would further define the "accessor modules" in a manner that would proscribe interpreting Dal Canto's servers 330 as the accessor modules. As the claims are written however, the only functionality attributed to the accessor modules are that there are remote applications "across" them. Dal Canto's servers teach this functionality and therefore read on the accessor modules as claimed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5>   Some claims will be discussed together. Those claims which are essentially the same

except that they set forth the claimed invention as a computer-readable medium or a remote

client computer are rejected under the same rationale applied to the described claim.

6>   Claims 1-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dal Canto

et al, U.S. Patent Publication No. 2003|0217166 ["Dal Canto"], in view of Han et al, U.S.

Patent Publication No. 2002|0143819 ["Han"].

7>   Dal Canto is directed to a service provisioning system that provides users remote

access to a digital services over a network. Similarly, Han is directed system for

disseminating Web services and resources to consumers over a service network.

8>   Concerning claims 1, 7, 13, and 19, Dal Canto did not expressly disclose that a that the

discovery request sent from a remote client uses SOAP. However, such a feature was well

known in the art at the time of Applicant's invention. For example, Han discloses a remote

client computer sending a remote application discovery request to a Web service using SOAP [0149 : "web service requests and responses are typically packaged as SOAP messages"]. Han discloses that SOAP is a well known standard for communicating with web services [0003, 0158]. Thus it would have been obvious to one of ordinary skill in the art to have incorporated Han's teachings into Dal Canto's web service system. SOAP provides benefits over other protocols including providing for the exchange of information in a decentralized environment (such as the one in Dal Canto) which eliminates the need to share a common programming language or operating system. The citations below refer to the Dal Canto reference unless otherwise noted.

9>   Dal Canto has disclosed:

*   «Claims 1, 7, 13, and 19»

        A method for enumerating applications by a remote client computer, the applications being deployed in an Intranet, the remote client computer being external to the Intranet, the method comprising:

        sending a remote application discovery request from the remote client computer to a Web service [Figure 1, 0040] using simple object access protocol [Han, 0149 - also see the response to arguments above], the Web service being deployed on a remote applications publication (RAP) Web server in the Intranet, the remote application discovery request being sent to the Web service by the remote client computer via a public network coupling the remote client computer to the Web server (paragraphs 40, 41, and 43); and

responsive to the sending, receiving a discovery response from the Web service, the discovery response identifying an aggregate list of remote applications across multiple access modules [0048, 0049 : metadesktop providing icons identifying the services that are available to the user; also see the response to arguments above] installed on the Intranet for terminal server (TS) based access by a user of the remote client computer (paragraphs 47, 48, and 49).

- «Claims 2, 8, 14, and 20»

A method as recited in claim 1, wherein the sending and receiving are independent of a Virtual Private Network connection between the remote client computer and the Intranet (paragraphs 10 and 14).

- «Claims 3, 9, 15, and 21»

A method as recited in claim 1, wherein the at least one application is multiple applications, respective ones of the multiple applications having been published by multiple information sources on the Intranet (paragraph 51).

- «Claims 4, 10, 16, and 22»

A method as recited in claim 1, wherein the at least one application is multiple applications, respective ones of the multiple applications having been published by multiple information sources on the Intranet (paragraph 51), the multiple information sources comprising one or more of a directory service, a Systems Management Server (SMS), and an office computer associated with the user (paragraph 40).

- «Claims 5, 11, 17, and 23»

    A method as recited in claim 1, wherein responsive receiving the discovery response from the Web service, the remote client computer presents respective shortcuts to the user, each shortcut corresponding to an individual one of remote applications identified in the discovery response, each shortcut being selectable by the user to invoke a terminal service, the terminal service executing a corresponding remote application on an associated installation point on the Intranet (paragraphs 49 and 51).

- «Claims 6, 12, 18, and 24»

    A method as recited in claim 5, wherein the shortcuts represent a merged view of the remote applications, the merged view being independent of respective ones of one or more installations points on the Intranet (paragraph 49).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art are directed towards identifying an aggregate list of remote applications in response to a client's discovery request:

Upton, U.S. Patent No. 7.080.092 – abstract;

Smith et al, U.S. Patent No. 7.117.504 – Figure 1;

Or et al, U.S. Patent No. 7.210.143.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/
Examiner, Art Unit 2152
Temporary Partial Signatory Authority